

## **ORDINANCE NO. 2009-16**

**AN ORDINANCE OF THE CITY OF SEDONA, ARIZONA, AMENDING THE CITY CODE SECTION 2-1-4 (VACANCIES IN COUNCIL) BY PROVIDING AN OPTION WHEREBY COUNCIL VACANCIES MAY BE FILLED BY APPOINTMENT UNTIL THE NEXT REGULAR ELECTION; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR REPEAL OF ANY ORDINANCE OR PARTS OF ORDINANCES OR CODE PROVISIONS IN CONFLICT HEREWITH AND PROVIDING AN EMERGENCY CLAUSE.**

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SEDONA, ARIZONA AS FOLLOWS:

### Section 1. Amendment to Section 2-4-5

Section 2-1-4 of the Sedona City Code is hereby amended to read as follows:

#### Section 2-1-4 VACANCIES IN COUNCIL

The Council shall fill a vacancy that may occur by either of the following:

1. Appointment for the unexpired term.
2. Appointment until the next regularly scheduled council election if the vacancy occurs more than thirty days before the nomination petition deadline.

### Section 2. Savings Clause

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remainder of this Ordinance.

### Section 4. Repeal

All other code provisions, ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict as of the effective date hereof.

### Section 5. Emergency Clause

The immediate operation of the provisions of this Ordinance is necessary for the preservation of the public peace, health, and safety of the City and for the further reason that this Ordinance is intended to make available to the City Council and the Citizens of Sedona the ability to fill the remaining term of an existing council vacancy at the upcoming 2010 election. Therefore, an emergency is hereby declared to exist, and this Ordinance is enacted as an emergency measure and will be in full force and effect as of October 27, 2009 upon passage and adoption by the Council of the City, as required by law, and it is hereby exempt from the

referendum provisions of the Constitution and laws of the State of Arizona.

PASSED AND ADOPTED by the Mayor and City Council of the City of Sedona, Arizona, by three-fourths affirmative vote, taken by yeas and nays, this 27th day of October, 2009.

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Rob Adams, MAYOR

ATTEST:

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City Clerk

APPROVED AS TO FORM:

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City Attorney